



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007

MICHAEL PESIN-VIROVETS
Senior Counsel
phone: (212) 356-2617
fax: (212) 356-3509
mpvirove@law.nyc.gov

May 24, 2022

BY ECF

Honorable Vera M. Scanlon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Payamps v. City of New York, et al.
22-CV-00563 (AMD) (VMS)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney representing defendants the City of New York (“City”), Mayor Bill de Blasio, Commissioner Dermot Shea, and NYPD Chief of Department Terence Monahan (collectively “defendants”) in the above-referenced matter. Defendants write to respectfully request for an enlargement of time to file a Joint Proposed Case Management Plan (“CMP”) and for an adjournment of the Initial Conference currently scheduled for June 7, 2022 to a time convenient for the Court after defendants have filed their answer. This is the first request for an enlargement of time to file a CMP and for an adjournment of the Initial Conference. Plaintiff consents to this request.

By way of procedural background, Plaintiff filed the complaint in this action on January 31, 2022. See ECF No. 1. On February 2, 2022, the Court issued a Scheduling Order directing the parties to complete a CMP no later than May 24, 2022 and for the parties to appear at a Telephonic Initial Conference on June 7, 2022 at 11:30 A.M. See ECF No. 6. The City was served in this matter on March 22, 2022 and its initial deadline to respond to the complaint was on April 12, 2022. See ECF No. 10. On April 1, 2022, the City filed for an enlargement of time, on consent, from April 12, 2022 until June 13, 2022 to answer or otherwise respond to the complaint. See ECF No. 11. On May 13, 2022, the Court granted the City’s request. See ECF No. 13.

Accordingly, because the CMP plan and Initial Conference are currently scheduled to take place before the defendants’ time to answer or respond to the complaint, defendants

respectfully request for an enlargement of these deadlines until a time convenient for the Court after defendants have filed their answer or otherwise responded to the complaint on June 13, 2022. This will allow defendants to more meaningfully participate in the planning of discovery in this matter.

Defendants thank the Court for its time and consideration of this request.

By: 
Michael Pesin-Virovets
Senior Counsel

cc: **By ECF**

Elena Louisa Cohen
Cohen Green PLLC
Attorney for Plaintiff

Remy Green
Cohen & Green
Attorney for Plaintiff

Jessica S. Massimi
99 Wall Street, Ste. 1264
New York, NY 10005
Attorney for Plaintiff

Gideon Orion Oliver
Attorney at Law
277 Broadway
Suite 1501
New York, NY 10007
Attorney for Plaintiff